

Remarks

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding office action is respectfully requested.

Claim 8, 23, 27, 31, and 36 are cancelled. Claims 1, 9, 21, 25, 28, 29, 32, 34, 35, 37 and 39, are amended. Claims 1-3, 5, 9-22, 24-26, 28-30, 32-35, 37, 38, 39-42 remain in this application.

1. Allowed Claims/Subject Matter

Applicant again notes with appreciation the Examiner's indication that the subject matter of claims 8-16, 18-20, 23, 24, 27, 28, 31, 36-38 are objected to, but would be allowable if rewritten in independent form, and has duly incorporated the allowable subject matter in claims 8, 23, 27, 31, and 36, into respective independent claims.

2. § 102 Rejections

The Examiner rejects claims 32 and 39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,151,123 (Nielsen '123). In view of the foregoing amendments, Applicant submits that the rejections are overcome.

3. §103 Rejections

The Examiner rejects claims 1-3, 5, 16, 21, 22, 25, 26, 29, 33, 35, and 40-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,151,123 (Nielsen '123) in view of U.S. Patent No. 5,776,674 (Ulmer '674). The Examiner acknowledges that Nielsen '123 fails to specifically teach or fairly suggest that the device comprises first and second compartments; nevertheless, alleges that it would have been obvious to one of ordinary skill in the art to apply the teachings of Ulmer '674 to the teachings of Nielsen '123. Further, the Examiner rejects claims 30 and 34 as being unpatentable over Nielsen '123 as modified by Ulmer '674, and further in view of U.S. Patent No. 5,007,737 (Hirleman '737).

Applicant submits that in view of the foregoing amendments the rejections are overcome, and requests that the present rejections be withdrawn.

5. Conclusion

Based upon the above amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims and a prompt Notice of Allowance thereon.


Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.


Please direct any questions or comments to Vincent T. Kung at 607-974-0608.

Respectfully submitted,

CORNING INCORPORATED

Date: August 13, 2003

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Asst. Commissioner of Patents and Trademarks, Washington, D.C. 20231 on <u>August 13, 2003</u> . Date of Deposit  Signature <u>August 13, 2003</u> Date of Signature



Vincent T. Kung
Registration No. 45,797
Corning Incorporated
Patent Department
Mail Stop SP-TI-03-1
Corning, NY 14831